



PUBLIC EMPLOYMENT RELATIONS COMMISSION

Street: 112 Henry Street NE, Suite 300, Olympia, WA 98506

Mail: PO Box 40919, Olympia, WA 98504-0919

Phone: (360) 570-7300 Fax: (360) 570-7334 E-mail: filing@perc.wa.gov

PETITION FOR INVESTIGATION OF
QUESTION CONCERNING REPRESENTATION☐ Amended Petition in Case _____

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RELATIONS COMMISSIONInstructions: www.perc.wa.gov/Forms/E-1-inst.pdf Applicable Rules: Chapters 10-08, 391-08 and 391-25 WAC.**1. PARTIES** The petitioner claims that a question concerning representation exists involving certain employees of the employer named below.**EMPLOYER** Pierce County**CONTACT PERSON** Joe Carrillo, Labor Relations Manager**ADDRESS** 615 South 9th Street

Suite 200

CITY, STATE, ZIP Tacoma, WA 98405-4670**TELEPHONE** (253) 798-6690 ext. _____**FAX** (253) 798-7489**E-MAIL** jcarril@co.pierce.wa.us**ATTORNEY OR
REPRESENTATIVE****ADDRESS****CITY, STATE, ZIP****TELEPHONE****FAX****E-MAIL****PETITIONER** Teamsters Local Union No. 117**CONTACT PERSON** Leonard A. Smith, Director of Organizing**ADDRESS** 14675 Interurban Avenue South

Suite 307

CITY, STATE, ZIP Tukwila, WA 98168-4614**TELEPHONE** (206) 441-4860 ext. 1237**FAX** (206) 441-3153**E-MAIL** leonard.smith@teamsters117.org**ATTORNEY OR
REPRESENTATIVE**

James V. Smith II, Staff Attorney

ADDRESS Teamsters Local Union No. 117

14675 Interurban Avenue South

Suite 307

CITY, STATE, ZIP Tukwila, WA 98168-4614**TELEPHONE** (206) 441-4860 ext. 1232**FAX** (206) 441-3153**E-MAIL** jim.smith@teamsters117.org**INCUMBENT BARGAINING REPRESENTATIVE** Indicate one.☒ The parties are not currently represented for bargaining; OR☐ The employees involved are currently represented by the organization below:**ATTORNEY OR
REPRESENTATIVE****ADDRESS****CITY, STATE, ZIP****TELEPHONE****FAX****E-MAIL****ORGANIZATION****CONTACT PERSON****ADDRESS****CITY, STATE, ZIP****TELEPHONE****FAX****E-MAIL****2. DESIGNATION OF REQUEST** Indicate one.☒ **RECOGNITION REQUEST** The petitioner requests certification as exclusive representative of the bargaining unit.☐ **CHANGE OF REPRESENTATIVE** The employees in the bargaining unit desire to designate the petitioner as their exclusive bargaining representative.☐ **DECERTIFICATION** The employees in the bargaining unit no longer wish to be represented by any employee organization.☐ **EMPLOYER PETITION - DEMAND FOR RECOGNITION** The employer has been presented with one or more demands for recognition (per attached documentation) and requests a determination by the Commission.☐ **EMPLOYER PETITION - INCUMBENCY QUESTIONED** The employer has a good faith belief (per attached documentation) that a majority of employees no longer desire to representation by the incumbent bargaining representative.**4. OTHER RELEVANT FACTS** Indicate one.☒ Additional information is set forth on separate sheets of paper attached to this petition.**5. SHOWING OF INTEREST**

A petition filed by an organization or employees must be accompanied by a showing of interest indicating that the petitioner has the support of 30% or more of the employees in the bargaining unit.

3. BARGAINING UNIT**EMPLOYER'S PRINCIPAL BUSINESS****DEPARTMENT OR DIVISION INVOLVED**

Law Enforcement

Pierce County Sheriff

COLLECTIVE BARGAINING AGREEMENT Indicate one.☒ The parties have never had a contract; OR☐ A copy of the parties' current (or most recent) collective bargaining agreement is attached.**NUMBER OF
EMPLOYEES
IN UNIT**

14

DESCRIPTION Indicate inclusions, exclusions, contract page or case/decision number.

All forensic investigators, lead forensic investigators, property room officers, and senior property room officers, excluding clerical staff and all other employees.

6. AUTHORIZED SIGNATURE FOR PETITIONER**PRINT NAME** James V. Smith II**TITLE** Staff Attorney**SIGNATURE****DATE** December 2, 2009

STATEMENT OF OTHER RELEVANT FACTS

1. Pierce County is a public employer within the meaning of RCW 41.56.030(1).

2. Teamsters Local Union No. 117 ("Local 117" or "the Union") is a "bargaining representative" within the meaning of RCW 41.56.030(3).

3. On July 23, 2009, Local 117 filed two petitions for investigation of a question concerning representation with the Public Employment Relations Commission ("PERC"), seeking certification as exclusive bargaining representative of certain employees of the Pierce County Sheriff's Department; namely: 1) All forensic investigators; and 2) All property officers and lead property officers.

4. On July 28, 2009, PERC issued a deficiency notice for both petitions (see PERC Case Nos. 22603-E-09-3486 and 22603-E-09-3487), holding that in PERC Case No. 22027-E-08-3400, Local 117 disclaimed interest in the Sheriff Civilian Support Staff bargaining unit (which contained the aforementioned petitioning employees) on December 1, 2008. Thus, PERC held that Local 117 untimely filed both petitions prior to the one year time bar for disclaimer under WAC 391-25-450.

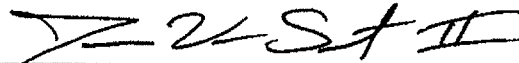
5. On September 21, 2009, PERC dismissed both of Local 117's petitions. *Pierce County*, Decision 10507 (PECB, 2009). On October 5 and 19, 2009, respectively, Local 117 filed a notice of appeal and appeal brief with PERC. Thus, the appeal of PERC Case Nos. 22603-E-09-3486 and 22603-E-09-3487 are currently pending before PERC.

6. Given that the one year time bar for disclaimer under WAC 391-25-450 has now expired, Local 117 hereby files a new petition for investigation of a question

concerning representation with PERC, seeking certification as the exclusive bargaining representative of certain employees of the Pierce County Sheriff's Department; namely, all forensic investigators, lead forensic investigators, property room officers, and senior property room officers, excluding clerical staff and all other employees.

7. Local 117's showing of interest for this new petition is already on file with PERC, under Case Nos. 22603-E-09-3486 and 22603-E-09-3487, and accordingly, is not accompanied with this new petition. Further, the original employee authorization cards previously submitted to PERC are still timely under WAC 391-25-110, as employees signed and dated said authorization cards in July of 2009—within one year preceding this new petition. Thus, Local 117 has the support of thirty percent or more of the employees in the appropriately claimed bargaining unit.

Respectfully submitted this 2ND day of December, 2009.



James V. Smith II, Staff Attorney
WSBA # 38871
Teamsters Local Union No. 117
14675 Interurban Avenue South, Suite 307
Tukwila, WA 98168-4614
(206) 441-4860, ext. 1232
jim.smith@teamsters117.org

Attorney for Teamsters Local Union No. 117

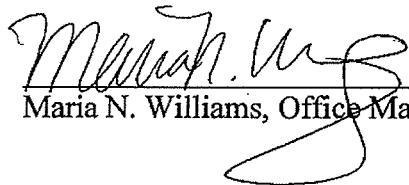
CERTIFICATE OF SERVICE

I certify that on this 2nd day of December 2009, I caused the original of Teamsters Local Union No. 117's Petition for Investigation of Question Concerning Representation (with attachments) to be sent via email and regular mail to:

Public Employment Relations Commission
PO Box 40919
Olympia, WA 98504-0919
filing@perc.wa.gov

and a copy was sent via email and regular mail to:

Mr. Joe Carrillo
Labor Relations Manager
Pierce County Personnel
615 S 9th Street, Suite 200
Tacoma, WA 98405
jcarril@co.pierce.wa.us


Maria N. Williams, Office Manager

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Majel Boudia

From: Maria N. Williams [Maria.Williams@teamsters117.org]
Sent: Wednesday, December 02, 2009 1:15 PM
To: PERC Info - Filing; jcarril@co.pierce.wa.us
Cc: James V. Smith II; Leonard Smith
Subject: Teamsters Local Union No. 117 - Pierce County Forensic Investigators and Property Room Managers - (Adobe - 4 Pages) - Our File No. 1082-2050
Attachments: PERC QCR Petition - Forensic Investigators and Property Room (with attachments) 120209.pdf
Importance: High

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Greetings -

Per Jim Smith, attached please find a Petition for Investigation of Question Concerning Representation for a new case. The original documents will be sent via regular mail today. Thank you.

Maria N. Williams, Office Manager
Teamsters Local Union No.117
Phone (206) 441-4860 x 1253
Fax (206) 441-3153
maria.williams@teamsters117.org

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